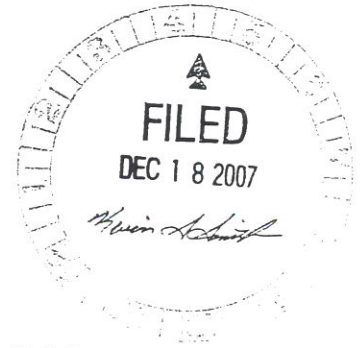


In the
Indiana Supreme Court



IN THE MATTER OF THE
APPROVAL OF LOCAL RULES
FOR HARRISON COUNTY

)
) Case No. 31S00-0712-MS- 598
)
)
)

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Harrison Circuit and Superior Courts request the approval of amended local rules: for appointment of special judges in accordance with Ind. Trial Rule 79, and regulation of court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Harrison Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR31-TR79-29 and LR31-AR15-27, comply with the requirements of Ind. Trial Rule 79, and Ind. Administrative Rule 15, and accordingly, should be approved.

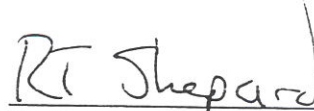
IT IS, THEREFORE, ORDERED by this Court that Harrison County Local Rules, LR31-TR79-29 and LR31-AR15-27, set forth as an attachment to this Order, are approved effective January 5, 2008, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website prior to the effective date.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Harris Lloyd Whitis, Harrison Circuit Court, P.O. Box 428, Corydon, IN 47112-0428; the Hon. Roger D. Davis, Harrison Superior Court, 1445 Gardner Lane, N.W., #3018, Corydon, IN 47112-2070; and to the Clerk of the Harrison Circuit Court, and to post this Order on the Court's website dealing with local rule amendments.

The Clerk of the Harrison Circuit Court is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination

by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 18th day of December, 2007.

A handwritten signature in dark ink, appearing to read "RT Shepard", written over a horizontal line.

Randall T. Shepard
Chief Justice of Indiana

LR31-TR79-29

APPOINTMENT OF SPECIAL JUDGES

A. Section H Appointments. In the event it becomes necessary to appoint a special judge under Section H of Trial Rule 79 of the Indiana Rules of Trial Procedure, the judge before whom the case is pending shall send notice of the need of the appointment of a special judge to the Administrative District's assignment judge who shall then make such assignment within five (5) days of receiving said notice.

B. Method of Assignment. The Administrative District's assignment judge shall select special judges from a roster of the available judges in the Administrative District. The assignments shall be in a sequential order beginning with the name of the judge following the last judge so assigned. If, however, because of travel considerations a judge has been passed over or if a judge is otherwise disqualified to hear a particular case, that judge shall be deemed to be the next in sequence until assigned a case.

The assignment judge shall maintain a record of all assignments.

C. Travel Considerations. In making the selection of a special judge, the assignment judge shall consider that travel of more than forty (40) miles in one direction is not an effective use of judicial resources.

D. Roster of Available Judges. The roster of available judges in Administrative District 14 shall be maintained by Court designation in the following sequential order and shall include senior judges as available:

- | | |
|-----------------------|--------------------------|
| (1) Clark Circuit | (10) Harrison Superior |
| (2) Clark Superior #1 | (11) Orange Circuit |
| (3) Clark Superior #2 | (12) Orange County |
| (4) Clark Superior #3 | (13) Scott Circuit |
| (5) Crawford Circuit | (14) Scott Superior |
| (6) Floyd Circuit | (15) Washington Circuit |
| (7) Floyd Superior #1 | (16) Washington Superior |
| (8) Floyd Superior #2 | |
| (9) Harrison Circuit | |

E. Appointment Order. Upon selecting a special judge, the assignment judge shall prepare an Order of Appointment and forward said Order to the judge before whom the case is pending, who shall then sign and enter the Order of Appointment and forward a copy of the Order to the special judge and the attorneys of record.

F. Acceptance of Jurisdiction. The Order of Appointment, when entered by the judge before whom the case is pending, shall constitute acceptance of jurisdiction

by the appointed special judge, unless the judge is otherwise disqualified, and no special appearance, oath or additional evidence of acceptance shall be required.

G. Form of Order. The Order of Appointment shall be in the following form:

IN THE _____ COURT FOR _____ COUNTY
STATE OF INDIANA

(Caption)

ORDER OF APPOINTMENT

Under the provisions of Trial Rule 79(H) of the Indiana Rules of Trial Procedure, the Honorable _____ of the _____ Court of _____ County is hereby appointed to serve as special judge in the above-captioned case.

SO ORDERED THIS _____ DAY OF _____, 20____.

Judge, _____ Court

Assigned this _____ day of _____, 20____.

Administrative District #14
Assignment Judge

H. Implementation of Rule. In the event a selected judge does not accept an appointment to serve as a special judge under the provisions of Sections (C), (D) or (E) of Trial Rule 79 of the Indiana Rules of Trial Procedure, the judge before whom the case is pending shall notify the assignment judge of the need for an appointment of a

special judge under this local rule.

I. Certification To Supreme Court. If, under the provisions of this Rule, no judge is eligible to serve as a special judge in a case, the assignment judge shall notify the judge before whom the case is pending, who shall then certify such fact to the Indiana Supreme Court for the appointment of a special judge.

If the judge before whom the case is pending is of the opinion that the particular circumstances of a case warrants selection of a special judge by the Indiana Supreme Court, said judge shall certify such facts to the Indiana Supreme Court for the appointment of a special judge. Under such circumstance, this Rule shall not be implemented unless the Indiana Supreme Court declines to appoint a special judge.

**LR31 - AR15- 27 HARRISON SUPERIOR AND CIRCUIT COURTS
LOCAL RULE REGARDING COURT REPORTER
FEES FOR TRANSCRIPTS**

Section One. Definitions: The following definitions shall apply under this Local Rule:

1. A Court Reporter is a person who is specifically designated by a Court to perform the official court reporting services for the Court including preparing a transcript of the record.
 2. Equipment means all physical items owned by the Court or other governmental entity and used by a Court Reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
 3. Work space means that portion of the Court's facilities dedicated to each court reporter, including but not limited to actual space in the courtroom and any designated office space.
 4. Page means the page unit of transcript which results when a recording is transcribed in the form required by the Indiana Rule of Appellate Procedure 28.
 5. Recording means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
 6. Regular hours worked means those hours which the Court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court with the county, but remain the same for each work week.
 7. Gap hours worked means those hours worked that are in excess of the regular hours worked, but hours not in excess of forty (40) hours per work week.
 8. Overtime hours worked means those hours worked in excess of forty (40) hours per work week.
 9. Work week means a seven (7) consecutive-day week that consistently begins and ends on the same days throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
 10. Court means the particular court for which the court reporter performs services. Court may also mean all the courts in Harrison County.
-

11. County indigent transcript means a transcript that is paid for from County funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
12. State indigent transcript means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
13. Private transcript means a transcript, including but not limited to, a deposition transcript, that is paid for by a private party.
14. Appeal transcript means a transcript prepared in any case, civil or criminal, for purposes of an appeal to the Indiana Court of Appeals or the Indiana Supreme Court.

SECTION TWO. Salaries and Per Page Fees:

1. Court Reporters shall be paid an annual salary for regular work hours under the control, discretion, and direct supervision of the supervising Court during any regular work hours, gap hours, or overtime hours. The supervising Court shall enter into a written agreement with the Court Reporters which outline the manner in which the Court Reporter is to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.
 2. Subject to the approval of each County's fiscal body, the amount of the annual salary shall be set by the Court.
 3. Regular working hours shall be determined by each Court.
 4. Gap hours shall be hours worked in excess of regular working hours (if regular working hours are less than forty (40) hours per week), but not in excess of forty (40) hours per week.
 5. Overtime hours shall be hours worked in excess of 40 hours per week.
 6. The maximum per page fee a Court Reporter may charge for the preparation of a county indigent appeal transcript shall be ~~Four Dollars and Fifty Cents (\$4.50)~~ Five Dollars (\$5.00) per page and ~~Four Dollars and Fifty Cents (\$4.50)~~ Five Dollars (\$5.00) per page for any non-appeal transcripts. The Court Reporter shall submit a claim directly to the Court for the preparation of any county indigent transcript.
 7. The maximum fee a Court Reporter may charge for the preparation of a state indigent appeal transcript shall be ~~Four Dollars and Fifty Cents (\$4.50)~~ Five Dollars (\$5.00) per page.
-

8. The maximum per page fee a Court Reporter may charge for the preparation of a private appeal transcript shall be ~~Four Dollars and Fifty Cents (\$4.50)~~ Five Dollars (\$5.00).

9. The maximum per page fee a Court Reporter may charge for the copy of any appeal transcript is ~~Two Dollars and Twenty Five Cents (\$2.25)~~ Two Dollars and Fifty Cents (\$2.50) per page.

10. With respect to any transcript, the Court Reporter may charge a minimum fee of ~~Forty Five Dollars (\$45.00)~~ Fifty Dollars (\$50.00).

11. If the Court Reporter is requested to prepare an expedited transcript, the maximum per page fee shall be ~~\$6.00~~ \$7.50 per page if request is for transcript to be prepared within five (5) days; the maximum per page fee shall be ~~\$7.50~~ \$8.50 per page where the transcript must be prepared within 24 hours or less. Index and Table of Contents will be charged at the same rate as the other pages.

12. The index and table of contents pages will be charged for at the same page rate being charged for the rest of the transcript.

13. An additional labor charge equal to the hourly rage for the Court Reporter at the time the transcript is being prepared may be charged by the Court Reporter for the time spent binding any transcript and exhibits.

14. A reasonable charge for office supplies and any other necessary materials and equipment required and utilized for preparing, binding, and electronic transmission of a transcript may be charged by the Court Reporter. A schedule of transcript supplies will be established and published annually by the Judge or Judges of the County.

15. The Court Reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

Section Three. Private Practice:

1. If a Court Reporter elects to engage in private practice through recording a deposition and/or preparing of a deposition transcript, trial transcript, hearing transcripts, plea change and sentencing transcripts, or other transcripts, and the Court Reporter desires to utilize the Court's equipment, work space, and supplies, and the Court agrees to the use of Court equipment for such purposes, the Court and the Court Reporter shall enter into a written agreement which must at a minimum designate the following:

- A) the reasonable market value for the use of equipment, work space and supplies;
- B) the method by which records are to be kept for the use of equipment, work space and supplies; and
- C) the method by which the Court Reporter is to reimburse the Court for the use of the equipment, work space and supplies.

2. If a Court Reporter elects to engage in private practice through recording a deposition and/or preparing a deposition transcript, trial transcripts, hearing transcripts, plea change and sentencing transcripts or other transcripts, all such private practice work shall be conducted outside of regular working hours.

SECTION FOUR. Disk as Official Record:

1. Upon the filing of a written request or praecipe for transcript, the Court Reporter shall transcribe any Court proceeding requested and produce an original paper transcript along with an electronically formatted transcript. Multiple disks containing the electronically formatted transcript shall be prepared and designated as "Original Transcript", "Court Reporter's Copy" and "Court's Copy". Each disk shall be labeled to identify the case number, the names of the parties, the date completed, the court reporter's name, and the disk number if more than one disk is required for a complete transcript. The Court's copy of the electronic transcript shall become the official record of the Court proceeding, in lieu of a paper copy of the transcript, and shall be retained in the Court where said proceeding was held. The court reporter's copy shall be retained by the court reporter. The original paper transcript along with the disk designated as the original transcript shall be forwarded to the Clerk if the transcript was prepared for purposes of appeal. If the transcript was not prepared for purposes of appeal, the original paper transcript shall be delivered to the requesting party.

STATE OF INDIANA
COUNTY OF HARRISON

IN THE MATTER OF JOINT
LOCAL RULES

CAUSE NO. 31D01-1209-MI- 74
31C01-1209-MI- 73

**ORDER FINDING GOOD CAUSE TO DEVIATE
FROM THE SCHEDULE FOR ADOPTING LOCAL COURT RULE**

The Judges of Harrison County Indiana, according to T.R. 81(D), find that good cause exists to deviate from the schedule established for the adoption or amendment of local court rules for the amendments proposed in the attached updated local court rules. The Harrison County Courts now submit the attached amended Local Rules for comment by the bar and the public. These rules does not require the approval of the Indiana Supreme Court.

The Clerk of Circuit and Superior Courts shall post the proposed revision in the Clerk's offices and on the Clerk's website and forward a copy to the officers of the Harrison Crawford County Bar Association. The Division of State Court Administration is requested to post the proposed revision on the Indiana Judicial website.

Comments may be submitted to: The Honorable Roger D. Davis, Judge of Harrison Superior Court at 1445 Gardner Lane, Suite 3018, Corydon, IN 47112, or The Honorable John Evans, Judge of the Harrison Circuit Court at 300 North Capitol Avenue, Corydon, IN 47112.

Comments may be made for thirty (30) days after posting pursuant to Trial Rule 81.

The proposed revision to the Harrison County Local Court Rule LR31-CR00-14 shall take effect November 10, 2012.

SO ORDERED THIS 27 DAY OF September, 2012.



ROGER D. DAVIS, JUDGE, HARRISON SUPERIOR COURT



JOHN EVANS, JUDGE HARRISON CIRCUIT COURT

LR31-CR00-14

BOND SCHEDULE AND RULES

OFFENSE

BOND AMOUNT (FULL CASH ONLY)

Indiana

Residents _____ Non Residents

~~Public Intoxication~~ _____ Own Recognizance _____ \$500 cash, or
 _____ surety 20 % deposit

~~Class "C" Misdemeanors~~ _____ \$500 cash, _____ \$500 cash,
 _____ ~~except Operating While~~ _____ or surety; 20% cash _____ or surety; 40%
 Intoxicated and purchasing _____ deposit _____ deposit
 more than 3 grams of
 Pseudoephedrine and/or Ephedrine
 within one week

~~Class "B" Misdemeanors~~ _____ \$750 cash, _____ \$750 cash,
 _____ ~~except Public Intoxication~~ _____ or surety; 20% cash _____ or surety; 40% cash
 _____ deposit _____ deposit

~~Class "A" Misdemeanors,~~ _____ \$1,000 cash, _____ \$1,000 cash,
 _____ ~~except Operating While~~ _____ or surety; 20% cash _____ or surety; 40%
 Intoxicated, Marijuana _____ deposit _____ cash deposit
 and Title 9

~~Class "D" Felonies,~~ _____ \$4,000 cash, _____ \$4,000 cash,
 _____ ~~except Child Molesting,~~ _____ or surety; 20% _____ cash or surety; 40%
 Child Solicitation, sexually _____ cash deposit _____ cash deposit
 Violent predator defendants,
 Title 9,
 controlled substance,
 Marijuana, Methamphetamine,
 Chemical Reagents or Precursors,
 Dumping Controlled Substance
 Waste, Possession of Anhydrous
 Ammonia With Intent to Manufacture,
 Possession of More Than 10 Grams of
 Pseudoephedrine, Ephedrine, and/or Phenylpropanolomine

Class "C" Felonies ~~\$10,000 cash or surety~~ ~~\$20,000 cash~~
except, Child Molesting, Child ~~or surety~~
Solicitation, sexually violent
predator defendants,
those involving the
operation of a motor
vehicle, controlled substances,
Meth, Possession of Two or More
Chemical Reagents or Precursors,
Possession of More Than 10 Grams
of Pseudoephedrine, Ephedrine, and/or
Phenylpropanolamine, Possession of
Anhydrous Ammonia With Intent
to Manufacture

Class "B" Felonies ~~\$20,000 cash or~~ ~~\$40,000 cash or~~
except Child Molesting, Child ~~surety~~ ~~surety~~
Solicitation, sexually violent
predator defendants,
those involving the
operation of a motor
vehicle, controlled substances,
and Methamphetamine

Class "A" Felonies, ~~\$50,000 cash or surety~~ ~~\$100,000 cash or~~
except Child Molesting, Child ~~surety~~
Solicitation, sexually violent
predator defendants,
Attempted Murder,
controlled substances,
and Methamphetamine

Operating While ~~\$500 full cash only~~ ~~\$500 full cash only~~
Intoxicated, Class "A" and ~~(No property, surety~~ ~~(No property or~~
Class "C" Misdemeanors, ~~or 20% cash deposit)~~ ~~surety or a % cash~~
Marijuana as a ~~deposit~~
Class "A" Misdemeanor,
and all Title 9 Class "A"
Misdemeanors

~~Title 9, Operating While Intoxicated, and Marijuana Class "D" Felonies~~ ~~\$800 full cash only (No property, surety or 20% cash deposit)~~ ~~\$800 full cash only (No property surety or % cash deposit)~~

~~Class "C" Felonies involving the operation of a motor vehicle~~ ~~\$5,000 full cash only~~ ~~\$5,000 full cash only~~

~~Class "B" Felonies involving the operation of a motor vehicle~~ ~~\$10,000 full cash only~~ ~~\$10,000 full cash only~~

~~Marijuana Class "C" Felonies~~ ~~\$5,000 full cash only (No property, surety or 20% deposit)~~ ~~\$10,000 full cash only (No property surety or 20% deposit)~~

~~Controlled Substance Class "D" Felonies except Methamphetamine and Methamphetamine related offenses~~ ~~\$2,500 full cash only (No property, surety or 20% cash deposit)~~ ~~\$2,500 full cash only (No property, surety or % cash deposit)~~

~~Controlled Substance Class "C" Felonies except Methamphetamine and Methamphetamine related offenses~~ ~~\$5,000 full cash only (No property, surety or 20% cash deposit)~~ ~~\$5,000 full cash only (No property, surety or % cash deposit)~~

~~Controlled Substance Class "B" Felonies except Methamphetamine~~ ~~\$10,000 full cash only (No property, surety or 20% cash deposit)~~ ~~\$10,000 full cash only (No property, surety or % cash deposit)~~

Controlled Substance	\$25,000 full cash only	\$25,000 full cash
Class "A" Felonies	(No property, surety	only (No property
except Methamphetamine	or 20% cash deposit)	surety, or % cash
		deposit

Class "C" Misdemeanor	\$500.00 full cash only	\$500.00 full cash
Purchasing More Than 3	(No property, surety	only (No and/or
grams of Pseudoephedrine	or % cash deposit)	property, within
Ephedrine		one week surety
		or % cash deposit

Class "D" Felonies,	\$5,000 full cash only	\$5,000 full cash
Methamphetamine,	(No property, surety or	only (No property
Possession	20% cash deposit	surety or % cash
of Two or More		deposit)
Chemical Reagents		
or Precursors With Intent to		
Manufacture, Dumping Controlled		
Substance Waste, Possession of		
More Than 10 Grams of		
Pseudoephedrine, Ephedrine and/or		
Phenylpropanolamine, Possession of		
Anhydrous Ammonia With Intent		
to Manufacture		

Class "C" Felonies,	\$10,000 full cash only	\$10,000 full cash
Methamphetamine,	(No property, surety or	(No property,
Possession of	20% cash deposit)	surety or % cash
Two or More		deposit)
Chemical Reagents		
Precursors With Intent to		
Manufacture, Possession of More		
Than 10 Grams of Pseudoephedrine,		
Ephedrine and/or		
Phenylpropanolamine, Possession of		
Anhydrous Ammonia With Intent to		
Manufacture		

Class "B" Felony	\$20,000 full cash only	\$20,000 full cash
Methamphetamine	(No property, surety	only (No property,
	or 20% cash deposit)	surety or % cash
		deposit)

Class "A" Felony	\$50,000 full cash only	\$50,000 full
Methamphetamine	(No property, surety	cash only (No
	or 20% cash deposit)	property, surety
		or % cash deposit

All Class "C" Misdemeanors	\$250.00
All Class "B" Misdemeanors	\$500.00
All Class "A" Misdemeanors	\$1,000.00
All Class "D" Felonies	\$2,500.00
All Class "C" Felonies	\$5,000.00
All Class "B" Felonies	\$25,000.00
All Class "A" Felonies	\$50,000.00

Illegal Aliens

No Bond for three (3) working days unless
INS notifies jail sooner of No Hold

Attempted Murder

\$100,000 full cash only ~~\$100,000 full cash~~
~~only~~

Murder, a person charged
with a violent crime as defined
in I.C. 5-2-6.1-8 that results
in bodily injury or death

No Bond until set by Court after
hearing

to a victim, battery upon a
child, Invasion of Privacy,

Child Molesting,

Child Solicitation,

Sexually Violent Predator

Defendants as defined in

I.C. 35-33-8-3.5, True Identity of

Person Unknown, and Fugitives from another state

Property, surety, and percentage bonds may only be posted if authorized
by the Court.

Upon issuance of a criminal warrant, the amount of bail specified may be endorsed upon the warrant, in which case, the amount endorsed supersedes the bond schedule.

Any person arrested for a **new criminal charge** who has **been arrested** for a **criminal charge within one (1) year of the date of the new arrest** shall be **required** to post a **bond** in amount equal to **twice (double)** the **amount** that would **otherwise be required** to be posted.

In determining the bail for persons that are arrested for a new criminal charge who are on probation or parole the Court finds a person arrested for a **new criminal charge** who is **on parole or on probation** for a **felony offense** shall be **held without bond for fifteen (15) days** or until brought before the Court. At the expiration of the fifteen (15) day **hold** the bond shall be **twice (double)** the **amount** that would **otherwise be required** if the defendant was not on parole or probation for a felony offense.

As a condition of bond, all persons, defendants and/or bond makers posting cash bonds are to be notified that bond will be receipted in the name of the Defendant and may be subject to payment to the Clerk of the Court for fines, Court costs, probation user fees, pre-trial diversion fees, alcohol-drug program fees, alcohol and drug countermeasure fees, drug interdiction fees, restitution, public defender fees or any other assessment pursuant to I.C. 35-33, before any balance will be released to the Defendant or bond maker. The Sheriff is directed to notify each person posting bond of this Order of the Court. Bond maker shall pay a **\$5.00 fee on each bond** for the special death benefit fund as required by law.

Due to the Sheriff's inability to bond all persons that handle cash bonds, the Sheriff of Harrison County, in his discretion, may require all "full cash" bonds to be posted using certified check or money order.

Any person arrested for a crime of domestic violence (as described in I.C. 35-41-1-6.3) ~~**Battery, Criminal Recklessness, Sex Crimes (I.C. 35-42-4), Kidnapping, Criminal Confinement, Robbery, Car Jacking, Arson, Residential Burglary, Residential Entry, Stalking, Criminal Gang Intimidation, Harassment, Intimidation, Invasion of Privacy,**~~ and when an individual is charged with ~~**attempt, conspiracy, or aiding and abetting**~~ in any of the above listed types of offenses, **shall not be permitted to post any bond for 8 24 hours** or until the person is brought before the Court, whichever comes first.

The following No Contact condition of bond Protective Order shall apply only to in all cases involving , a defendant who is charged with committing a violent crime (as defined in I.C. 5-2-6.1-8) that results in bodily injury to a person when ordered by the Court after a hearing. The No Contact condition of bond shall remain in effect until further order of the Court. ~~Attempted Murder, Battery, Domestic Battery, Criminal Recklessness, Sex Crimes (I.C.35-42-4), Incest, Promotion of Human Trafficking, Human Trafficking, Sexual Trafficking of a Minor, Kidnapping, Criminal Confinement, Robbery, Car Jacking, Arson, Residential Burglary, Residential Entry, Stalking, Intimidation, Harassment, Criminal Gang Intimidation, Invasion of Privacy,~~ and shall apply when an individual is charged with attempt, conspiracy, or aiding or abetting in any of the above listed types of offenses.

NO CONTACT ORDER UPON RELEASE FROM CUSTODY ON BAIL OR PERSONAL RECOGNIZANCE.

This is a No-Contact Protective Order. The defendant shall have NO CONTACT with the alleged Victim(s) in this matter, in person, by telephone or letter, through a third party, or an intermediary, or in any way, directly or indirectly while released from custody pending trial, and shall refrain from abusing, stalking, harassing, threatening, intimidating or disturbing the peace of the alleged Victim (s). Defendant shall not use, attempt, or threaten the use of physical force against the alleged Victim(s) that would reasonably be expected to cause bodily injury. Defendant shall not use physical force of any kind against the alleged victim(s). The Court finds this order is necessary to preserve the safety, peace, and dignity of the community. Violation of this Order is a crime, invasion of privacy, under I.C. 35-46-1-15.1. ~~You may request this order be canceled or modified at your first Court hearing.~~ Any person subject to a Protective Order may be prohibited from possessing any firearm or ammunition under federal law. This Order is issued pursuant to I.C. 35-33-8-3.2. The defendant shall not visit any location during the period of his or her release where the defendant knows the alleged victim(s) to be located. This order remains in effect until further order of the Court. ~~Until this case has been tried and the defendant has been sentenced, if found guilty.~~ The defendant is forbidden to enter or stay at the alleged victims' residence, even if invited to do so by the alleged victim(s) or any other person. This order for protection may only be canceled or changed by the Court. This order for protection shall be given full faith and credit in any other state or tribal land pursuant to 18 U.S.C. 2265. Pursuant to 18 U.S.C. 922(g), once a defendant has received notice of this order and an opportunity to be heard, it may be a federal violation to purchase, receive,

or possess a firearm while subject to this order if the protected person is a current or former spouse, a current or former person with whom the defendant resided in an intimate relationship, or a person with whom the defendant has a child.

Victim(s) Information

Name: _____	Name: _____
D.O.B.: _____	D.O.B.: _____
Sex: _____	Sex: _____
Race: _____	Race: _____

* Intimate partner of defendant.

Defendant had actual notice and an opportunity to participate in a hearing regarding this protective order.

EXHIBIT "A"

The Harrison County Sheriff shall use the Terms and Conditions of Bond provided in this rule and the form attached hereto as Exhibit "A" for every person bonding out on any criminal case in Harrison County, Indiana. All employees of the Harrison County Sheriff and all employees of Harrison County shall use their best efforts to fully complete all information required by the Terms and Conditions of Bond (Exhibit "A").

All employees of Harrison County or of the Sheriff of Harrison County shall enter all no-contact protective orders as a condition of bond in the protective order registry.

In any instance where a case number is not available because the criminal case has not yet been filed a case number shall be assigned as follows:

1. The first five digits of the case number shall always be: 31D01.
2. The next four digits of the case number shall coincide with the year and month consistent with the date the defendant bonded out of jail. These four digits shall be the last two digits of the year and the two numerical digits representing the month the defendant bonded out of jail. For example, if a defendant bonded out in June of 2008, the four digits would be 0806.
3. The next two digits shall always be "CM".

4. The next six digits of the case number shall always start with "9" and shall consist of six numbers. The first case entered shall be "900001" and sequentially thereafter. For example, the second case entered in the protective order registry, when a criminal case number is not yet available, shall be "900002".

A criminal case number shall be used when it is available. No-contact protective orders as conditions of bond shall be entered with no expiration. "NON-EXP" shall be used for protective orders that have no expiration date.

Illegal Aliens shall be **held without bond** until further order of the Court or the expiration of **three (3) working days** (Holidays and weekends do not count) **after arrest** or until notice by INS of No Hold, whichever comes first. Unless the Court orders otherwise, the defendant's bond shall be in accordance with this **bond schedule** after the expiration of **three (3) working days from** the time of **arrest** or notification from INS that there will be **no hold**. The purpose of this order concerning illegal aliens is to allow the Homeland Security/ Immigration and Naturalization Service (INS) adequate time to investigate and determine whether the INS wishes to detain the defendant for prosecution and/or deportation.

If the true identify of a person is unknown s(he) shall be held until further order of the Court.

All persons arrested for **Driving While Intoxicated, Driving with a B.A.C. of .08 or greater, Minor Consuming or Public Intoxication** shall not be released from custody until a sufficient number of hours have elapsed to permit the alcohol to disperse from the body. The following is the **MINIMUM** number of hours of custody:

B.A.C.	HOURS	B.A.C.	HOURS	B.A.C.	HOURS
.075	5	.150	10	.225	15
.090	6	.165	11	.240	16
.105	7	.180	12	.255	17
.120	8	.195	13	.270	18
.135	9	.210	14	.285	19
				.300	20
REFUSAL	24				

All persons arrested for **Public Intoxication or Minor Consuming** **WILL** be held **in custody** until a sufficient number of hours have elapsed to permit alcohol to disperse from the body according to a **B.A.C. test (not P.B.T.)** If the defendant **fails, refuses, or declines a B.A.C.** then (s)he shall be held for **Twenty-four (24) hours**.

All persons over 18 years of age charged with **Minor Consuming** may be held in custody for a **MINIMUM OF TWENTY-FOUR (24) HOURS** unless they voluntarily submit to a B.A.C. test. If they submit to a B.A.C. test they may bond out after the burn off time set forth herein. The police, Sheriff, and Corrections personnel are not required to provide a B.A.C. test.

All persons arrested on any charge(s) who are **under the influence of and are impaired by marijuana or any illegal drug** shall be held in custody for **Twenty-four (24) hours**.

The Jailer or Bond maker is **DIRECTED** to obtain an address and telephone number of the Defendant on the bond.

There shall be no initial bond on persons arrested for being fugitive from another state unless the Court sets a bond in such instances.

NO individual, who is arrested, may be released on his or her **OWN RECOGNIZANCE** without the authority of the Judge of the Circuit or Superior Court except as set forth herein. **Bonds or any Bench Warrants** may **NOT** be **changed** except by the Judge of the Circuit or Superior Court. Any of the above provisions can be altered (increased or decreased) by the Judge of the Circuit or Superior Court.

All persons making bond shall complete and sign Terms and Conditions of Bond and shall be subject to the terms and conditions of bond as set forth in Exhibit "A" attached hereto. The defendant shall be given a return date no longer than ten (10) days after being released from jail unless the Court has set a different date.

A "sexually violent predator defendant" has the meaning set forth in I.C. 35-33-8-3.5 and includes a person who is a sexually violent predator under I.C. 35-38-1-7.5 who is arrested for or charged with the commission of an offense that would classify the person as a sex or violent offender (as defined in I.C. 11-8-8-5).

EXHIBIT "A"

STATE OF INDIANA)
COUNTY OF HARRISON)

IN THE HARRISON SUPERIOR COURT

CASE NO. 31D01-

NAME: _____
ADDRESS: _____
DATE OF BIRTH: _____
SSN: _____

ALIASES: _____
PHONE NO: _____
INITIAL HEARING: _____

TERMS AND CONDITIONS OF BOND

The following terms and conditions of bond apply to all criminal cases until further order of the Court

- 1 Defendant shall appear at every hearing, trial date, presentence interview, and any other time as ordered by the Court and remain until the case is called
- 2 Defendant shall not violate any state or federal law and not commit any crime
- 3 Defendant shall notify the Clerk of the Court of any change of address within 72 hours

The following No Contact condition of bond Protective Order shall apply only to ~~all~~ cases involving a defendant who is charged with a violent crime (as defined in I.C. 5-2-6.1-8) that results in bodily injury to a person when ordered by the Court after a hearing. **Attempted Murder, Battery, Domestic Battery, Criminal Recklessness, Sex Crimes (I.C. 35-42-4), Incest, Promotion of Human Trafficking, Human Trafficking, Sexual Trafficking of a Minor, Kidnaping, Criminal Confinement, Robbery, Car Jacking, Arson, Residential Burglary, Residential Entry, Stalking, Intimidation, Harassment, Criminal Gang Intimidation, Invasion of Privacy**, and shall apply when an individual is charged with attempt, conspiracy, or aiding or abetting in any of the above listed types of offenses.

NO CONTACT ORDER UPON RELEASE FROM CUSTODY ON BAIL OR PERSONAL RECOGNIZANCE.

This is a No-Contact Protective Order. The defendant shall have NO CONTACT with the alleged Victim(s) in this matter, in person, by telephone or letter, through a third party, or an intermediary, or in any way, directly or indirectly while released from custody pending trial, and shall refrain from abusing, stalking, harassing, threatening, intimidating or disturbing the peace of the alleged Victim(s). Defendant shall not use, attempt, or threaten the use of physical force against the alleged Victim(s) that would reasonably be expected to cause bodily injury. Defendant shall not use physical force of any kind against the alleged victim(s). The Court finds this order is necessary to preserve the safety, peace, and dignity of the community. Violation of this Order is a crime, invasion of privacy, under I.C. 35-46-1-15.1. ~~You may request this order be canceled or modified at your first Court hearing.~~ Any person subject to a Protective Order may be prohibited from possessing any firearm or ammunition under federal law. This Order is issued pursuant to I.C. 35-33-8-3-2. The defendant shall not visit any location during the period of his or her release where the defendant knows the alleged victim(s) to be located. This order remains in effect until further order of the Court, ~~until this case has been tried and the defendant has been sentenced, if found guilty.~~ The defendant is forbidden to enter or stay at the alleged victim(s) residence, even if invited to do so by the alleged victim(s) or any other person. This order for protection may only be canceled or changed by the Court. This order for protection shall be given full faith and credit in any other state or tribal land pursuant to 18 U.S.C. 2265. Pursuant to 18 U.S.C. 922(g), once a defendant has received notice of this order and an opportunity to be heard, it may be a federal violation to purchase, receive, or possess a firearm while subject to this order if the protected person is a current or former spouse, a current or former person with whom the defendant resided in an intimate relationship, or a person with whom the defendant has a child.

Victim(s) Information

Name: _____	Name: _____
D.O.B.: _____	D.O.B.: _____
Sex: _____	Sex: _____
Race: _____	Race: _____

*Intimate partner of Defendant

Defendant had actual notice and opportunity to participate in a hearing regarding this protective order

SO ORDERED by Local Rule LR31-CR00-14

I understand the above terms and conditions of bond.

Date _____

Defendant's Signature _____

Booking Officer's Signature _____

*Intimate partner is defined as a spouse, former spouse, a person who shares a child in common with the defendant, or an individual who cohabitates or has cohabitated with the defendant.

**State of Indiana
County of Harrison**

In the Matter of Joint
Local Rules

Cause No. 31D01-1209-MI-74
Cause No. 31C01-1209-MI-73

Order Approving Revised Harrison County Local Rule LR31-CR00-14

The Judges of Harrison County, Indiana find as follows:

1. In accordance with T.R. 81 the proposed revision to Harrison County Local Rule LR31-CR00-14 was posted by Clerk's office, the Division of State Court Administration, and forwarded to the officers of the local Bar Association;
2. The Judges of Harrison County, Indiana have considered the comments concerning the proposed revision to the local rule, in any;
3. The procedure used for the revision of the Local Rule is in compliance with T.R. 81; and
4. The revised Local Rule should be approved as proposed and should take effect November 10, 2012.

It Is Hereby Ordered and Adjudged that the proposed revision to Harrison County Local Rule LR31-CR00-14 is approved as proposed effective November 13, 2012.

It Is Further Ordered that the Clerk of the Courts shall place this order in the Record of Judgments and Orders, post the revised rule in the clerk's offices and on the clerk's website, and forward a copy of the revision in digital format to the Division of State Court Administration pursuant to T.R. 81 (F).

So Ordered this 13 day of November, 2012.



Roger D. Davis, Judge, Harrison Superior Court



John Evans, Judge, Harrison Circuit Court